

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

Application. No. : 10/705,199
Title : A METHOD AND SYSTEM FOR CONTROLLING ACCESS IN
DETAIL-IN-CONTEXT PRESENTATIONS
Applicant : David J. P. Baar
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Confirmation No. : 2923
Art Unit : 2135
Examiner : Suman Debnath
Docket No. : 198821-368249
Customer No. : 27,155

Commissioner of Patents
P.O. Box 1450
Alexandria, V.A. 22313-1450

PRE-APPEAL BRIEF REQUEST FOR REVIEW

Sir:

This is in response to the Examiner's Final Office Action mailed July 27, 2007 (the "Final Office Action").

Please note that a Notice of Appeal and the appropriate fee have been filed with this Request.

The following are the errors in the Examiner's rejections and/or the Examiner's omissions of one or more essential elements needed for a prima facie rejection for which the Applicant respectfully requests review:

First: On pages 2-3 of the Final Office Action the Examiner has rejected independent Claim 1 under 35 U.S.C. 103(a) as being unpatentable over United States Patent Application Publication No.

2003/0196114 by Brew et al. ("Brew") in view of United States Patent No. 5,638,523 to Mullet et al. ("Mullet"). For reference, original Claim 1 recites the following (underlining added for emphasis):

1. (Original) A method for controlling access to secured information for a predetermined region of a computer generated original image presented on a display, comprising:
determining whether a user is authorized to access said secured information; and,
in response to said determining, distorting said original image to produce a distorted region for said predetermined region to provide said user with said secured information on said display.

On page 2 of the Final Office Action the Examiner admits that Brew does not teach that element of original Claim 1 that recites "controlling access to secured information for a predetermined region of a computer generated original image presented on a display". In particular, the Examiner states: "Brew doesn't explicitly disclose a method for a predetermined region of a computer generated original image presented on a display...". While Brew teaches controlling access to information in general, it does not teach controlling access to secured information for a predetermined region of an original image presented on a display. The Examiner then states (also on page 2 of the Final Office Action): "However, Mullet discloses a method for a predetermined region (FIG. 3a) of a computer generated original image presented on a display (FIG. 1, item 21, FIG. 3a)...". However, while Mullet teaches a browsing tool (e.g., item 10 in FIG. 3A) that may be applied to a region of an original image to magnify that region, it does not teach anything to do with controlling access to secured information for that region. The Examiner has not cited where such a teaching or suggestion is made in Mullet.

Therefore, neither Brew nor Mullet teach or suggest those elements of original Claim 1 that recite: "A method for controlling access to secured information for a predetermined region of a computer generated original image presented on a display, comprising: determining whether a user is authorized to access said secured information".

As such, the prior art references cited by the Examiner do not teach or suggest all the limitations of Claim 1 (see MPEP Section 2143: "Basic Requirements of a *Prima Facie* Case of Obviousness").

Consequently, the Applicant respectfully submits that the Examiner has not established a prima facie case of obviousness against Claim 1 under 35 U.S.C. 103(a).

Second: On pages 2-3 of the Final Office Action, the Examiner contends that Mullet teaches that element of previous Claim 1 that recites: “distorting said original image to produce a distorted region for said predetermined region to provide said user with said secured information on said display”. In particular, the Examiner states: “However, Mullet discloses...distorting said original image (FIG. 3a, column 5, lines 63-67, ‘magnifying’) to produce a distorted region (FIG. 3, item 13) for said predetermined region (column 5, lines 58-67, Mullet teaches of distorting a predetermined region by choosing an area to view in detail within the image map, i.e. FIG. 3a, item 13).” First, as mentioned above, while Brew teaches controlling access to information in general, it does not teach controlling access to secured information for a predetermined region of an original image presented on a display. Second, while Mullet teaches a browsing tool **10** that may be applied to a region of an original image to magnify that region, it does not teach providing secured information for a region through such a browsing tool. The Examiner has not cited where such a teaching or suggestion is made in Mullet.

Therefore, neither Brew nor Mullet teach or suggest that element of original Claim 1 that recites “distorting said original image to produce a distorted region for said predetermined region to provide said user with said secured information on said display”.

As such, the prior art references cited by the Examiner do not teach or suggest all the limitations of Claim 1. Consequently, the Applicant respectfully submits that the Examiner has not established a prima facie case of obviousness against Claim 1 under 35 U.S.C. 103(a).

Third: The Examiner contends that Mullet teaches that element of previous Claim 1 that recites: “distorting said original image to produce a distorted region for said predetermined region...”. As is apparent from FIGS. 2A-2D and 3A-3E of Mullet, the browsing tool **10** of Mullet provides a magnified viewing area **15** that floats over the original image. Mullet does not distort the original image to provide a distorted region. Rather, Mullet provides undistorted or uniform magnification. All the browsing tool **10** does is float or superimpose a magnified viewing area **15** over the original image. Both the original image and the viewing area **15** remain undistorted in Mullet. On page 15 of

the Final Office Action, the Examiner equates the uniform magnification of Mullet to the distorting of original Claim 1 stating: “Furthermore, the word ‘distort’ as defined in the Webster’s New World Dictionary, Third College Edition, ‘change the usual or normal shape, form, or appearance’. Thus by enlarging or reducing (i.e., ‘magnification’), it will change the appearance of the original image”. However, a change in appearance is not the same as a change in normal or usual appearance. Similarly, the uniform magnification in Mullet is not equivalent to the distorting of original Claim 1. Compare the following selections from Webster’s Encyclopedic Unabridged Dictionary:

“**magnify**...1. to increase the apparent size of, as a lens does. 2. to make greater in actual size; enlarge: *to magnify a drawing in preparing a fresco*. 3. to cause to seem greater or more important; attribute too much importance to; exaggerate: *to magnify one’s difficulties*. 4. to make more exciting; intensify; dramatize; heighten: *The playwright magnified the conflict to get his point across*. 5. *Archaic*. to extol; praise: *to magnify the Lord*...6. to increase or be able to increase the apparent or actual size of an object, as a lens does...”

“**distort**...1. to twist awry or out of shape; make crooked or deformed: *Arthritis had distorted his wrists*. 2. to pervert; misrepresent: *to distort the facts*. 3. *Electronics*. to reproduce or amplify (a signal) inaccurately by changing the frequencies or unequally changing the delay or amplitude of the components of the output wave...”

“**distorted**...1. twisted; deformed; misshapen. 2. misrepresented; altered; twisted out of true meaning: *He supported the lie with distorted facts*. 3. mentally or morally twisted, as with an aberration or bias: *He has a distorted sense of values*...”

“**distortion**...1. the act or an instance of distorting. 2. the state of being distorted or the relative degree or amount by which something is distorted or distorts. 3. anything that is distorted, as a sound, image, fact, etc. 4. *Optics*. an aberration of a lens or system of lenses in which the magnification of the object varies with the lateral distance from the axis of the lens...”

From these selections it is apparent that the word “magnify” is not equivalent to the word “distort”. In general, to magnify means to uniformly enlarge. On the other hand, to distort means to twist awry

or out of shape, make crooked or deformed. The “distorting” of original Claim 1 means that the magnification is not uniformly applied. In contrast, in Mullet, the magnification is uniformly applied.

Note that the fourth definition of “distortion” above is particularly appropriate for original Claim 1 and is supported by both the specification and dependent Claims 15 and 17. This definition is commonly used in imaging technology, as well as in photography, and digital imaging. Lens flaws such as spherical and chromatic aberrations are considered to cause “distortions” in an image, whereas an ideal “undistorted” image would be an image to which magnification has been uniformly applied (i.e., spatially and/or chromatically). The Applicant’s invention pertains to the field of imaging and so this definition of distortion is appropriate.

Therefore, neither Brew nor Mullet teach or suggest that element of original Claim 1 that recites “distorting said original image to produce a distorted region for said predetermined region...”.

As such, the prior art references cited by the Examiner do not teach or suggest all the limitations of Claim 1. Consequently, the Applicant respectfully submits that the Examiner has not established a prima facie case of obviousness against Claim 1 under 35 U.S.C. 103(a).

The Applicant respectfully requests that a timely Notice of Allowance be issued in this case.

Respectfully submitted,

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By



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